IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO. 494 OF 2004
IN
CHAMBER SUMMONS NO.595 OF 2003
IN
EXECUTION APPLICATION NO.237 OF 2000
IN
SUIT NO.258 OF 1994

Virendra Shamjibhai Gala .. Appellant

v/s.

1. M/s. Tulsi Construction and
Associates & ors. .. Respondents

Mr.Shyam Diwan with Mr. Chetan Kapadia i/by M/s.Harakchand & Co.for appellant.

Mr.V.Y.Sanglikarfor respondent No.1.

Ms. A.Ghone i/by Ms. Rekha Mehta for respondent Nos.7 and 8.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 24th August, 2004

P.C.

After having heard the learned counsel appearing for the parties, we are of the view that the dismissal of chamber summons by the learned chamber Judge does not call for any interference. However, we clarify that the observations made in the impugned order concerning the construction and interpretation of the decree are only confined to the disposal of chamber summons and shall not influence the consideration of the execution application No.237 of 2000 and shall not be prejudicial to the contentions of the parties in the said execution application.

2. With the aforesaid observation, appeal is dismissed.

Certified copy expedited.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)